

*Approved First Reading – February 3, 2022
Public Hearing – March 4, 2022
Proposed Second Reading – March 4, 2022*

AN ORDINANCE TO AMEND CHAPTER 153, VEHICLES AND TRAFFIC,
OF THE CODE OF THE TOWN OF FENWICK ISLAND, DELAWARE
RELATING TO LOW SPEED VEHICLES

WHEREAS, the Town Council of the Town of Fenwick Island desires for the purpose of promoting health, safety and general welfare of the inhabitants of the Town of Fenwick Island, Delaware;

BE IT ORDAINED by the Town Council of the Town of Fenwick Island, in session met, a quorum pertaining at all times thereto, in the manner following:

Section 1. Chapter 153 of the Code of the Town of Fenwick Island shall be amended by adding new Sections 153-6, 153-7 and 153-8 as follows:

§153-6. Additional Authority to Establish Limits on Vehicles and Traffic

In order to promote the public health, safety and general welfare of the property owners and residents of the Town of Fenwick Island, the Town Council is hereby further authorized to establish limits on vehicles and traffic on the streets of Fenwick Island.

§ 153 – 7. Definitions

LOW SPEED VEHICLE (LSV) shall have the meaning set forth in the Delaware Code, Title 2., that is: a 4-wheeled motor vehicle, other than a truck, whose speed attainable in 1 mile is more than 20 miles per hour but no more than 25 miles per hour on a paved level surface. The low-speed vehicle shall be limited to a gross vehicle weight rating (GVWR) of less than 2,500 pounds..

§ 153 – 8. Prohibited Use of Low Speed Vehicles

- A. No Low Speed Vehicles (LSV), or similar vehicles may be operated or driven on any Town street, except for construction equipment (such as loaders, backhoes and bobcats), lawn mowers, emergency vehicles, vehicles used by the Town and electrical personal assistive mobility devices.*
- B. Any person who shall violate any provisions of § 153-8A shall be subject to penalties under this section of \$100 for each day of violation, as well as the Town's cost and expenses, including reasonable attorneys fees. Penalties assessed for a violation of this Article shall be considered civil penalties and any action brought for the recovery phase of the penalties by the Town shall be brought in any civil court of competent jurisdiction.*